

est in the land described in said instrument; and making it unlawful for any person, acting in his individual capacity or in behalf of such organization, to receive such instrument or to tender the same for record, knowing at the time of receiving or tendering that the person, firm, or corporation, executing such instrument was not the owner of the land nor the interest therein which said instrument conveys or purports to convey; providing a penalty for the violation of this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 24, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 608, A bill to be entitled "An Act for the conservation, protection, preservation and distribution of the underground water supply of the State; defining powers and duties of the Board of Water Engineers for said purposes; providing for plugging, casing or capping wells to prevent contamination of fresh water supply; prescribing a penalty for violating any provision of this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HORNSBY, Chairman.

SIXTY-THIRD DAY.

Senate Chamber,
Austin, Texas,
April 27, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(see appendix).

Committee Reports.

(see appendix).

Bills and Resolutions.

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the introduction of general bills during the last 90 days of the session was suspended and consent was granted to introduce the following bill:

By Senator Stevenson:

S. B. No. 611, A bill to be entitled "An Act to regulate the use of highways of the State of Texas by motor truck, and declaring an emergency."

Read and referred to the Committee on State Highways and Motor Traffic.

Messages from the House.

Hall of the House of Representatives,
Austin, Texas, April 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. J. R. No. 5, Proposing an amendment of Section 7, Article II of the Constitution of the State of Texas, authorizing counties and cities bordering on the coast of the Gulf of Mexico by a vote of two-thirds of the qualified prop-

erty taxpaying voters therein voting to levy and collect such tax for construction of sea walls, break-waters or sanitary purposes as authorized by law and authorizing the creation of a debt for such works and the issuance of bonds in evidence thereof and providing for submission of same to the qualified electors of this State at an election to be held on July 25, A. D. 1931, and providing the necessary proclamation and appropriation to defray the expenses of the proclamation, publication and election.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 241, A bill to be entitled "An Act making an appropriation to reimburse persons, firms and corporations for losses sustained during the years of 1929 and 1930 by reason of the establishment by the State of Texas of regulated and restricted zones in certain areas of the State requiring such persons, firms and corporations to pay money for the sterilization of seed and the fumigation of cotton, etc., and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Simple Resolution No. 121.

Senator Greer sent up the following resolution:

Whereas,
In the month of last December,
Month of Holy Christmas cheer,
To the Purl's there came a stranger,
Darling, little girlie dear.

To this sturdy little cherub,
And her parents good and dear,
Wish we now to tell you,
Of our gratitude sincere;

That the dear God has so blest you,
Adding to your jewels bright,
Purl, another, and our Mascot,
If this motion to adopt,
By this body be enacted,
At this moment, on this spot.

Bobbie Joe Ann, come now forward,
Welcome us as we do you,
And the Texas Senate greets you,
Lady, from the Land of New.

Therefore, Be It Resolved by the Senate of the 42nd Legislature of Texas: That the daughter of Senator and Mrs. George Purl, Bobbie Joe Ann Purl, be named Mascot of this body and that the young lady come forward and accept.

GREER,
POAGE,
WOODRUFF.

Read and adopted.

(The poetry, or rather jingle, was composed and written by Miss T. N. Bell, the Senate Librarian.)

Motion to Concur.

On motion of Senator Woodward, the Senate concurred in House amendments to S. B. No. 67 and S. B. No. 255.

S. B. No. 611 Ordered Printed.

On motion of Senator Parrish, S. B. No. 611, introduced this morning, was ordered printed in the Senate Journal.

Simple Resolution No. 122.

Senator Hornsby sent up the following resolution:

Whereas, Hon. Ed. Westbrook, former prominent member of this body, is now within the bar of the Senate, therefore be it

Resolved, That he be extended the privilege and that he be invited to address the Senate.

HORNSBY,
PARRISH,
MOORE,
BERKELEY.

Read and adopted.

Hon. Ed Westbrook Speaks.

The Chair appointed Senators Hornsby and Parrish to escort Hon. Ed Westbrook to the platform.

The Chair introduced Senator Parrish, who introduced former Senator Westbrook, who briefly addressed the Senate.

S. J. R. No. 16.

The Chair laid before the Senate on its third reading:

By Senator Hardin:

S. J. R. No. 16, To amend Section 51 of Article 16 of the Constitution of Texas, limiting the exemptions of homesteads to property the value of which shall not exceed Five Thousand (\$5,000.00) Dollars; providing for its submission to the voters as required by the Constitution, and making an appropriation therefor."

Read second time.

Senator Hardin sent up the following amendments:

Amend Senate Joint Resolution No. 16 by striking out all after the resolving clause and inserting in lieu thereof the following:

Section 1. That Section 1, of Article 8 of the Constitution of the State of Texas, be amended so as to hereafter read as follows:

"Section 1. Taxation shall be equal and uniform. All property in this State whether owned by natural persons or corporations, other than municipal, shall be taxed in proportion to its value, which shall be ascertained as may be provided by law, provided that no state ad valorem tax for any purpose shall be levied or assessed upon the homestead, as defined by law, of any person or families, unless such homestead shall have an actual market value of more than \$5,000.00, in which event, only the excess of such values over and above \$5,000.00 shall be subject to such state tax; but, such homesteads, or the value thereof below \$5,000.00, shall be subject to ad valorem tax only for local purposes by counties, cities or towns, or school districts or other districts or subdivisions of the state, authorized to levy ad valorem taxes. The legislature may impose a poll tax. It may also impose occupation taxes, both upon natural persons and upon corporations, other than municipal, doing any business in this State. It may also tax incomes of both natural persons and corporations, other than municipal, except that persons engaged in mechanical and agricultural pursuits shall never be required to pay an occupation tax; provided, that two hundred and fifty dollars' worth of household and kitchen furniture belonging to each family in this State shall be exempt from taxation; and provided further that the occupation tax levied by any county, city or town, for any year, on persons or

corporations pursuing any profession or business, shall not exceed one-half of the tax levied by the State for the same period on such profession or business.

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this State at the next general election, to be held on the first Tuesday after the first Monday in November 1932. At which election all voters favoring said proposed amendment shall write or have printed on their ballots the words:

"For the Amendment to the Constitution of Texas providing that no State Ad valorem tax shall be levied upon the homestead except that portion, if any, or its actual cash market value, which exceeds Five Thousand (\$5,000.00) Dollars."

and those opposing said proposed Amendment shall write or have printed on their ballots the words:

"Against the Amendment to the Constitution of Texas providing that no State Ad valorem tax shall be levied upon the homestead except upon that portion, if any, of its actual cash market value, which exceeds Five Thousand (\$5,000.00) Dollars."

Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and to have same published as required by the Constitution for amendments thereto.

Sec. 4. The sum of Five Thousand (\$5,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury of the State of Texas not otherwise appropriated to pay the expense of such publication and election.

HARDIN.

The amendment was read.

Senator Hardin sent up the following amendment to the amendment:

Amend the amendment by striking out the word "below" in Section 1 and insert in lieu thereof the word "of" and insert following the figures "\$5,000" in the same line the words "or less."

HARDIN.

Read and adopted unanimously.

The amendment as amended was adopted unanimously.

Senator Hardin sent up the following amendment:

Amend the caption to read as follows:

"Proposing to amend the Constitution of the State of Texas, so as to provide that no state-wide ad valorem tax for any purpose, shall be levied or assessed on the homestead, as defined by law, of any person or family. Except, upon that portion of such value, if any, in excess of Five Thousand (\$5,000.00) Dollars."

HARDIN.

Read and adopted unanimously.

Senator Holbrook sent up the following amendment:

Amend S. J. R. No. 16 by substituting the figures "2,000" for "5,000" wherever they occur in the resolution.

HOLBROOK.

Read and, on motion of Senator Hardin, tabled.

The resolution was finally passed by the following vote:

Yeas—28.

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Neal.	Woodruff.
Oneal.	Woodul.
Parr.	Woodward.

Nays—3.

Cousins.	Hopkins.
Holbrook.	

Free Conference Requested.

On motion of Senator Woodul, the Senate reconsidered the vote by which it concurred in House amendments to S. B. No. 275.

On motion of Senator Woodul, the Senate refused to concur in the House amendments and asked for the appointment of a Free Conference Committee.

House Bills Referred.

H. B. No. 241 referred to Committee on Finance.

H. J. R. No. 5 referred to Committee on Constitutional Amendments.

S. J. R. No. 28.

The Chair laid before the Senate on its third reading the following bill:

By Senator Neal:

S. J. R. No. 28, A joint resolution Proposing an amendment to the Constitution of Texas, by adding to Article 16 another section, Section 60, so as to authorize a Texas Centennial, commemorating the heroic period of early Texas history, and to celebrate a century of our independence and progress, times, places and manner thereof to be provided by the Legislature; authorizing an appropriation to be made therefor; providing for an election upon such proposed amendment, and making an appropriation therefor.

Read third time.

Conferees Appointed.

The Chair appointed the following Senate conferees on S. B. No. 311:

Senators Oneal, Woodward, DeBerry, Parrish and Poage.

Recess.

On motion of Senator Moore, the Senate, at 12:03 o'clock p. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Free Conference Committee Appointed.

The Chair announced the appointment of the following Senate conferees on S. B. No. 275:

Senators Woodul, Williamson, Purl, Parr and Hopkins.

S. C. R. No. 40.

Senator Greer sent up the following resolution:

Be It Resolved by the Senate,

House of Representatives concurring, That the Governor be requested to return Senate Bill No. 371 to the Senate in order to have the certificate show the correct vote by which said bill was finally passed by the House and Senate.

GREER.

Read and adopted.

House Bill No. 397.

The Chair laid before the Senate, by unanimous consent, the following bill:

By Mr. Sanders:

H. B. No. 397, A bill to be entitled "An Act making appropriation to cover deficiencies in appropriations heretofore made for the support of the judiciary department of the State government of the State of Texas for the fiscal years ending August 31, 1923, 1925, 1927, 1928, 1929, and 1930, and declaring an emergency."

The Committee amendments were adopted.

The bill was read second time and passed to third reading.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 397 was put on its third reading and final passage by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	DeBerry.
Berkeley.	Gainer.
Cousins.	Greer.
Cunningham.	Hardin.

Holbrook.
Hopkins.
Hornsby.
Loy.
Martin.
Moore.
Neal.
Oneal.
Parr.
Parrish.
Patton.
Poage.

Pollard.
Purl.
Rawlings.
Russek.
Small.
Stevenson.
Thomason.
Williamson.
Woodruff.
Woodul.
Woodward.

S. J. R. No. 28.

The question recurred on S. J. R. No. 28. The resolution was finally passed by the following vote:

Yeas—24.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Nays—6.

Cunningham.	Poage.
DeBerry.	Purl.
Hopkins.	Rawlings.

Present—Not Voting.

Oneal.

S. J. R. No. 9.

The Chair laid before the Senate on its second reading the following resolution:

By Senators Woodul and Neal:

S. J. R. No. 9, Proposing an amendment to Section 5, of Article 4 of the Constitution of the State of Texas fixing the salary of the Governor; providing for its submission to the voters of the State of Texas and required by the Constitution, and making appropriation therefor. The committee report was adopted.

Read second time and passed to engrossment by the following vote:

Yeas—31.

Beck.	Cousins.
Berkeley.	Cunningham.

DeBerry.	Patton.
Gainer.	Poage.
Greer.	Pollard.
Hardin.	Purl.
Holbrook.	Rawlings.
Hopkins.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Neal.	Woodruff.
Oneal.	Woodul.
Parr.	Woodward.
Parrish.	

S. J. R. No. 12.

Senator Purl called up from the table the following resolution:

By Senator Purl:

S. J. R. No. 12, A joint resolution Adding another section to Article V, of the Constitution of the State of Texas, authorizing the Legislature of Texas to fix all compensations, fees and emoluments to be paid all officers except State officers; providing for its submission to the voters of the State of Texas as required by the Constitution, and making an appropriation therefor.

The committee amendment was adopted.

The resolution was passed to engrossment by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Nay—1.

Parr.

S. J. R. No. 20.

The Chair laid before the Senate on its second reading the following bill:

By Senator Cunningham:

S. J. R. No. 20, Proposing an amendment to the Constitution of

Texas providing for the creation of Rural Electric Light and Power and Gas Districts, for the purpose of enabling residents of said districts to provide themselves with facilities for the distribution to all residents thereof of natural or artificial gas and electric light and power, or either; and enabling such districts to enter into contracts with any person, firm or corporation for supplying or distributing such utilities or for both such supply and distribution; and providing for an election, etc.

Read second time and passed to engrossment.

Senate Bill No. 589.

The Chair laid before the Senate by unanimous consent, the following bill:

By Senator Parr:

S. B. No. 589, A bill to be entitled "An Act providing that the Legislature shall make appropriations for the compensation of the members of the Board of Water Engineers and fix such compensation, and repealing Article 7482 of the Revised Civil Statutes, 1925; amending Article 7485 of the Revised Civil Statutes so as to provide for the fixing of the compensation of the Secretary of said board; and declaring an emergency."

Read second time.

The committee amendment was read.

Senator Woodward sent up the following amendment:

Amend S. B. No. 589 by adding after the word "compensation," line 3 of Section 1, the following: "Provided said salaries shall not exceed \$4,800.00 per annum."

WOODWARD.

Read and adopted.

Senator Woodward sent up the following amendment to the amendment:

Amend the amendment by adding after the word "appropriation" the words as follows: "Provided said salaries shall not exceed \$4,800.00 for the Adjutant General or \$3,600.00 for the Assistant Adjutant General."

WOODWARD.

Read and adopted by the following vote:

Yeas—22.

Beck.	Parr.
Berkeley.	Parrish.
DeBerry.	Purl.
Gainer.	Rawlings.
Hardin.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Nays—9.

Cousins.	Patton.
Cunningham.	Poage.
Greer.	Pollard.
Holbrook.	Thomason.
Loy.	

Senator Berkeley sent up the following amendments:

Amendment No. 1.

Amend S. B. No. 589, Section 2, as amended by Committee Amendment No. 1, by adding after the words: "Adjutant General and Assistant Adjutant General," the words: "and State Librarian," but shall not appropriate over three thousand (\$3,000.00) dollars for the latter.

BERKELEY.

Read and adopted.

Amendment No. 2.

Amend the caption of S. B. No. 589, as amended by Committee Amendment No. 2, by adding after the words: "Assistant Adjutant General," the words: "State Librarian."

BERKELEY.

Read and adopted.

The committee amendment as amended was adopted by the following vote:

Yeas—15.

Beck.	Patton.
Berkeley.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Moore.	Williamson.
Neal.	Woodruff.
Parr.	Woodul.
Parrish.	

Nays—14.

Cousins.	DeBerry.
Cunningham.	Holbrook.

Hopkins.	Poage.
Hornsby.	Pollard.
Loy.	Purl.
Martin.	Rawlings.
Oneal.	Woodward.

Absent.

Gainer.	Thomason.
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Senator Holbrook moved to indefinitely postpone further consideration of the bill.

Senator Moore moved to table the motion to indefinitely postpone. The motion to table was lost by the following vote:

Yeas—15.

Beck.	Parr.
Berkeley.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Williamson.
Hopkins.	Woodruff.
Moore.	Woodul.
Neal.	

Nays—15.

Cousins.	Parrish.
Cunningham.	Poage.
DeBerry.	Pollard.
Holbrook.	Purl.
Hornsby.	Rawlings.
Loy.	Stevenson.
Martin.	Woodward.
Oneal.	

Absent.

Thomason.

The motion to indefinitely postpone was lost by the following vote:

Yeas—15.

Cousins.	Parrish.
Cunningham.	Poage.
DeBerry.	Pollard.
Holbrook.	Purl.
Hornsby.	Rawlings.
Loy.	Small.
Martin.	Woodward.
Oneal.	

Nays—15.

Beck.	Parr.
Berkeley.	Patton.
Gainer.	Russek.
Greer.	Stevenson.
Hardin.	Williamson.
Hopkins.	Woodruff.
Moore.	Woodul.
Neal.	

Absent.

Thomason.

REASON FOR VOTE.

I vote yea, but will vote to reconsider if the division is made so we can raise the salary of the Water Engineers.

COUSINS.

Senator Woodruff moved to reconsider the vote by which the Committee amendment was adopted.

Senator Purl moved to table the motion to reconsider. The motion to table prevailed by the following vote:

Yeas—21.

Beck.	Oneal.
Berkeley.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Woodul.
Moore.	Woodward.
Neal.	

Nays—9.

Cousins.	Pollard.
Gainer.	Russek.
Loy.	Williamson.
Martin.	Woodruff.
Parr.	

Absent.

Thomason.

The bill as amended was passed to engrossment by the following vote:

Yeas—16.

Beck.	Parr.
Berkeley.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Loy.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.

Nays—14.

Cousins.	Oneal.
Cunningham.	Parrish.
DeBerry.	Poage.
Holbrook.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.
Martin.	Woodward.

Absent.

Thomason.

The motion of Senator Parrish to suspend the constitutional rule requiring bills to be read on three several days was lost by the following vote:

Yeas—21.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Loy.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

Nays—9.

Cunningham.	Martin.
DeBerry.	Poage.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	

Absent.

Thomason.

Motion to Print.

Senator Small sent up the following motion:

I move that House Bill 770 be printed on Minority report.

SMALL.

Senator Small received unanimous consent to spread the motion on the Journal.

Senator Pollard gave notice that he would call up the motion tomorrow.

Bills Signed.

The Chair, Lieut. Gov. Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 255.	S. B. No. 380.
S. B. No. 280.	H. B. No. 474.

S. B. No. 595.

Senator Parrish moved to reconsider the vote by which S. B. No. 595 was finally passed. The motion prevailed.

Senator Parrish sent up the following amendments:

Amendment No. 1.

Amend Section 1 of Senate Bill No. 595 by striking out all before the

words "and such parts or sub-divisions," and substitute in lieu thereof the following:

"That the Commissioner of the General Land Office is hereby authorized to lease the bed owned by the State in the Sabine River in every County in this State through which the same runs."

PARRISH.

Read and adopted unanimously.

Amendment No. 3.

Amend Section 3 of Senate Bill No. 595 by adding before the words "one-eight", wherever such words appear, the words "not less than".

PARRISH.

Read and adopted unanimously.

Amendment No. 2.

Amend the Caption of Senate Bill No. 595 by striking out after the words "to provide" to and including "Van Zandt Counties," and substitute in lieu thereof the following:

"for the leasing of mineral purposes the bed of the Sabine River";

PARRISH.

Read and adopted unanimously.

The bill was finally passed by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Notice of Intent.

Senator Greer gave notice that tomorrow he would call up the motion spread on the Journal to reconsider the vote by which H. B. No. 100 was finally passed.

S. J. R. No. 17.

The Chair laid before the Senate on its second reading the following resolution:

By Senator Woodul:

S. J. R. No. 17, Proposing to amend Section 50, Article 3, of the Constitution of the State of Texas so that it shall hereafter provide that the Legislature shall have power and authority to create and maintain a State plan of insurance to underwrite industrial accident insurance in Texas.

Read second time.

The Committee amendments were adopted.

The resolution was passed to engrossment by the following vote:

Yeas—19.

Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
Gainer.	Purl.
Hornsby.	Rawlings.
Loy.	Small.
Moore.	Williamson.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

Nays—4.

DeBerry.	Poage.
Holbrook.	Stevenson.

Absent.

Beck.	Martin.
Greer.	Russek.
Hardin.	Thomason.
Hopkins.	Woodruff.

Senate Bill No. 38.

The Chair laid before the Senate as pending business the following bill:

By Senator Williamson:

S. B. No. 38, A bill to be entitled "An Act amending Section 3-A, Chapter 88, Acts of the Second Called Session of the Forty-first Legislature, by adding thereto Section 3-B, providing for the refunding of license fees paid on motor vehicles which are subsequently demolished or destroyed; prescribing the fee therefor, and the means and manner of making such refund, and declaring an emergency."

The pending amendment was adopted.

The bill was passed to engrossment.

On motion of Senator Williamson the constitutional rule requiring bills

to be read on three several days was suspended and S. B. No. 38 was put on its third reading and final passage by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
ONeal.	

Read third time and finally passed.

Yeas—30.

Beck.	ONeal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent.

Thomason.

Motion to Concur.

Senator Woodul moved to concur in House amendment to S. B. No. 153. The motion prevailed by the following vote:

Yeas—27.

Beck.	Martin.
Berkeley.	Moore.
Cousins.	ONeal.
Cunningham.	Parr.
Gainer.	Parrish.
Greer.	Patton.
Hardin.	Poage.
Holbrook.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.

Russek.	Woodruff.
Small.	Woodul.
Stevenson.	Woodward.
Williamson.	

Nays—3.

DeBerry.	Neal.
Loy.	

Absent.

Thomason.

Senate Bill No. 18.

Senator Purl called up from the table the following bill:

By Senators Purl and Greer:

S. B. No. 18, A bill to be entitled "An Act to exempt from taxation the property owned or used exclusively and reasonable necessary in conducting any Association engaged in promoting the religious, educational and physical development of boys and girls, young men and young women, operating under a State or National organization or like charter, and all endowment funds of such institutions, and declaring an emergency."

Senator Martin sent up the following amendments:

Amend S. B. No. 18, Section One, by striking out of line 2 of said Section one the words: "and reasonably necessary".

MARTIN.

Read and adopted.

Amend S. B. No. 18, Section One, by striking out the word "or" in line one of said Section and substitute the word "and" therefor.

MARTIN.

Read and adopted.

Amend S. B. No. 18, by striking out of line eleven, Section One the words "young men or young women".

MARTIN.

The amendment was read and lost by the following vote:

Yeas—8.

Cousins.	Martin.
Holbrook.	Moore.
Hopkins.	Poage.
Loy.	Woodruff.

Nays—15.

Berkeley.	Hardin.
DeBerry.	Hornsby.
Gainer.	ONeal.
Greer.	Parr.

Patton.	Stevenson.
Purl.	Woodul.
Rawlings.	Woodward.
Small.	

Absent.

Beck.	Pollard.
Cunningham.	Russek.
Neal.	Thomason.
Parrish.	Williamson.

Senator Martin sent up the following amendment:

Amend S. B. No. 18, Section No. One by striking out of line four the words "young men or young women."

MARTIN.

The amendment was read.

The Chair, Senator Hornsby, held that the amendment was out of order.

On motion of Senator Stevenson, the previous question was ordered on the further consideration of the bill.

The bill failed to pass to engrossment by the following vote:

Yeas—9.

Greer.	Rawlings.
Hornsby.	Small.
Parr.	Williamson.
Patton.	Woodul.
Purl.	

Nays—15.

Beck.	Martin.
Berkeley.	Moore.
Cousins.	Oneal.
DeBerry.	Poage.
Gainer.	Stevenson.
Holbrook.	Woodruff.
Hopkins.	Woodward.
Loy.	

Absent.

Neal.	Russek.
Parrish.	Thomason.
Pollard.	

(Pairs Recorded).

Senator Hardin (present) who would vote yea, with Senator Cunningham (absent) who would vote nay.

Senator Stevenson spread on the Journal a motion to reconsider the vote by which the bill failed to pass to engrossment.

Recess.

Senator Greer moved to recess until 10 o'clock tomorrow morning.

Senator Woodruff moved to recess until 9:30 o'clock tomorrow morning.

The motion to recess until 10 o'clock prevailed and at 5:40 o'clock p. m., the Senate recessed.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, April 27, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 67 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, April 27, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 366 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, April 27, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 570 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, April 24, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 557 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, April 24, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 219 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, April 24, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 372 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, April 24, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 363 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, April 24, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 45 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, April 24, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 518 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, April 24, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 309 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, April 24, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had C. C. R. No. 37 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, April 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 380 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, April 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 255 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, April 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 275 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, April 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 280, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, April 25, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred S. B. No. 606, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WILLIAMSON, Chairman.

Committee Room,
Austin, Texas, April 25, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred H. B. No. 812, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WILLIAMSON, Chairman.

Committee Room,
Austin, Texas, April 25, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred H. B. No. 979, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WILLIAMSON, Chairman.

Committee Room,
Austin, Texas, April 25, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred H. B. No. 260, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WILLIAMSON, Chairman.

Committee Room,
Austin, Texas, April 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 303, A bill to be entitled "An Act to amend Article 2021 of the Revised Civil Statutes of Texas, 1925, so as to provide that all citations and notices mentioned in Chapter 3 of Title 42 of the Revised Civil Statutes of Texas, shall contain the requisites prescribed in Title 42 of the Revised Civil Statutes of Texas, 1925, and provided further that all such requisites prescribed in said Title 42 of the Revised Civil Statutes of Texas, 1925, as to the requisites, issuance, service and return of citations shall be directory and not mandatory, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, April 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 471, A bill to be entitled "An Act authorizing suits to be brought and maintained against per-

sons owning or claiming any interest in lands, in cases (a) when land or any interest therein has been or may hereafter be conveyed or any lease or contract with reference to land made by written instrument to any person as trustee and in such conveyance or instrument constituting source of title the names of the persons taking or holding the beneficial or equitable title are not disclosed and are unknown, and (b) when land or an interest therein has been conveyed or any lease or contract with reference to land made by written instrument to an association, joint stock company or partnership, and after such conveyance said association, joint stock company or partnership has been dissolved and the names of the persons owning, acquiring or becoming the owners of the assets and lands of such association are not disclosed in such conveyance and are unknown; providing how such unknown persons shall be made parties; prescribing the procedure in such cases; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, April 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 170, A bill to be entitled "An Act to amend Article 324 of the Revised Civil Statutes of 1925 as amended by H. B. No. 222, Chapter 254, Acts of the Regular Session of the 41st Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, April 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 595, A bill to be entitled "An Act to amend Article 3269 of the Revised Civil Statutes of 1925, providing for procedure and practice

in suits against those having the right of eminent domain for property, damages to property or injunction, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, April 27, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 992, A bill to be entitled "An Act establishing a County Law Library in certain counties; providing a fund to be administered by the Commissioners' Court to be raised by collecting fifty (50) cents as costs in each case hereafter filed in Civil or Criminal County and/or District Courts; providing for appointment of a custodian or librarian and his salary; providing for housing and management; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, April 27, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 319, A bill to be entitled "An Act to amend Article 1977 of Revised Civil Statutes of Texas of 1925 so as to provide the requisites of pleadings of the plaintiff and the filing of amended and, or supplemental pleadings in cases against non-resident, transient persons and persons whose whereabouts are unknown and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, April 25, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 610, A bill to be entitled

"An Act to provide that oil, gas and mineral leases, conveyances and mining claims heretofore or hereafter granted on the public lands of the State in which the State retains a royalty of a portion of the gross production of the oil, gas and other minerals or of the value thereof, and the rights of the holders thereof and of their assignees and their income therefrom, shall not be subject to income or other taxes levied by the United States, providing that this act shall not apply to taxes levied by the State or sub-divisions thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PARRISH, Chairman.

Committee Room,

Austin, Texas, April 25, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 713, A bill to be entitled "An Act providing for the transfer of title of certain lands to the State Highway Commission consisting of two separate tracts, one being across Copano Pass in Aransas County, the other across Lavaca Bay in Calhoun County, lying under, along, and adjacent to the Causeways and their approaches now under construction, on State Highway No. 57."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed because of advance printing in House Bill form.

PARRISH, Chairman.

Committee Room,

Austin, Texas, April 25, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 1025, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office to convey, by proper instrument, all the right, title and interest of the State of Texas, in and to, four (4) certain described tracts of land, situated in Kerr County, Texas, to designated persons, said

tracts having heretofore been donated to the State for park purposes, but no improvement made thereon, and reciting a failure of consideration, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PARRISH, Chairman.

Committee Room,
Austin, Texas, April 25, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 619, A bill to be entitled "An Act providing for and authorizing the exchange between the State of Texas and the Houston and Texas Central Railroad Company of certain lands belonging to them, respectively, situated in Waller County, Texas, and the execution of deeds of conveyance effecting such exchange, placing the land to be so acquired and conveyed to the State in and under the possession, control and management of the State Highway Commission and constituting same a part of the right of way for State Highway No. 6 in Waller County, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed because of advance printing in House Bill form.

PARRISH, Chairman.

Committee Room,
Austin, Texas, April 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred S. B. No. 527, A bill to be entitled "An Act to create the One Hundred and Twenty-third Judicial District of Texas and to designate the counties constituting said district, and fixing the time for holding court therein; re-organizing the Twenty-second Judicial District of Texas and designating the counties constituting said district and fixing the time for holding court in the various counties of said district;"

Have had the same under con-

sideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PATTON, Chairman.

Committee Room,
Austin, Texas, April 24, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 397, A bill to be entitled "An Act making appropriation to cover deficiencies in appropriations heretofore made for the support of the Judiciary Department of the State Government of the State of Texas, for the fiscal years ending August 31, 1923, '25, '27, '28, '29, and '30, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass together with Committee amendments, and that same be not printed.

BECK, Chairman.

Committee Amendment No. 1.

Amend House Bill No. 397 by striking out the word and figures "and '30" in the caption of the bill, words and figures "'30 and '31 and for authorized deficiencies for the fiscal year ending August 31, 1931."

Committee Amendment No. 2.

Amend House Bill No. 397 by striking out all after the enacting clause, and inserting in lieu thereof the following:

"Section 1. That the following sums be, and the same are hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to cover deficiencies for the purposes herein named in appropriations heretofore made for the support of the Judicial Department of the State Government for the fiscal years ending August 31, 1923, '25, '27, '28, '29, '30 and '31, and for authorized deficiencies for the fiscal year ending August 31, 1931, which deficiencies have been duly authorized in Title 15, Chapter 2, Code of Criminal Procedure and by Article 4351, Revised Civil Statutes of the State of Texas.

Deficiency Certificates Issued by the Comptroller.		Expenses of attached wit- nesses and witness fees	
For the Fiscal Year End- ing August 31, 1923.		and mileage allowed	
Fees of Sheriffs, Con- stables, Justice of Peace and County At- torneys in Examining Trials	\$ 18.17	witnesses in felony cases who reside in counties other than the county in which the cause is being tried....	4,421.08
Expenses of attached wit- nesses and witness fees and mileage allowed		Fees to Court Reporters for Transcript	170.14
witnesses in felony cases who reside in counties other than the county in which the cause is being tried....	1,052.05	For the Fiscal Year End- ing August 31, 1930.	
For the Fiscal Year End- ing August 31, 1925.		Fees of Sheriffs, Con- stables, District Clerks and county Attorneys in felony cases	166,318.61
Fees of Sheriffs, Con- stables, District Clerks, and County Attorneys in felony cases	3,335.32	Fees of Sheriffs, Con- stables, Justice of Peace and County At- torneys in Examining Trials	13,198.88
Expenses of attached wit- nesses and witness fees and mileage allowed		Expenses of attached wit- nesses and witness fees and mileage allowed	
witnesses in felony cases who reside in counties other than the county in which the cause is being tried....	1,290.20	witnesses in felony cases who reside in counties other than the county in which the cause is being tried....	11,997.71
For the Fiscal Year End- ing August 31, 1927.		For the Fiscal Years End- ing August 31, 1930, and August 31, 1931.	
Fees of Sheriffs, Con- stables, District Clerks, and County Attorneys in felony cases	4,809.16	To pay Blanket warrants issued to the District Judges of 113, 116, and 117 Judicial Dis- tricts created by the Acts of the 41st Leg- islature and for which no appropriations have been made	7,294.98
Expenses of attached wit- nesses and witness fees and mileage allowed		To pay Blanket Warrants issued to the Court Re- porters for Transcript fees	3,388.73
witnesses in felony cases who reside in counties other than the county in which the cause is being tried....	389.41	To pay Blanket Warrants Courts of Civil Appeals in transferred cases ...	534.00
For the Fiscal Year End- ing August 31, 1928.		To pay Blanket Warrants issued to the Judges of the Supreme Court, Court of Civil Appeals, Court of Criminal Ap- peals, Commission of Appeals, and Commis- sion of Appeals of the Court of Criminal Ap- peals by authority of the Acts of the Regu- lar Session of the 40th Législature	16,674.39
Fees of Sheriffs, Con- stables, District Clerks, and County Attorneys in felony cases	635.95	To pay Blanket Warrants issued to the Judges	
For the Fiscal Year End- ing August 31, 1929.			
Fees of Sheriffs, Con- stables, District Clerks, and County Attorneys in felony cases	90,677.03		
Fees of Sheriffs, Con- stables, Justice of Peace and County At- torneys in Examining Trials	4,863.56		

of the District Courts
of the State, by au-
thority of the Acts of
the Regular Session
of the Regular Ses-
sion of the 40th Legis-
lature _____ 22,796.26

Grand Total Judiciary \$353,866.26

To pay authorized de-
ficiencies for State
Treasury Department
for Contingent Ex-
penses for fiscal year
ending August 31,
1931 _____ 1,295.00

Combined Grand Total \$355,161.26

It is specifically provided herein
that before any claim is paid from
funds hereby appropriated, the same
shall have the approval of the State
Comptroller and the State Auditor.

Sec. 2. The fact that the appro-
priations heretofore made for the
above items are exhausted or will
become exhausted before the expira-
tion of the time for which the same
was appropriated, creates an emer-
gency, and imperative public neces-
sity which justifies the suspension of
the Constitutional Rule requiring
bills to be read on three several days
in each House, and the Rule is
hereby suspended and this Act shall
take effect and be in force from and
after its passage, and it is so en-
acted."

Committee Room,
Austin, Texas, April 27, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on State
Affairs, to whom was referred

S. B. No. 609, A bill to be entitled
"An Act to amend Article 6066 of
the Revised Civil Statutes of 1925;
etc., and declaring an emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with the
recommendation that it do pass.

MOORE, Chairman.

Committee Room,
Austin, Texas, April 25, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on Edu-
cational Affairs, to whom was re-
ferred

H. B. No. 386, A bill to be entitled
"An Act to amend Section 1, Chap-
ter 47, General and Special Laws of
the Forty-first Legislature, First
Called Session, by adding thereto
Section 1-a; providing for the cre-
ation of new independent common
school and county line districts, out
of parts of other school districts;
providing for adjustment of any
bonded indebtedness and the assump-
tion of said indebtedness; and de-
claring an emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with the
recommendation that it do pass.

NEAL, Chairman.

Committee Room,
Austin, Texas, April 25, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on Edu-
cational Affairs, to whom was re-
ferred

H. B. No. 402, A bill to be entitled
"An Act to authorize the payment of
the apportionment of the State and
County Available School Fund and
additional tuition if necessary to pub-
lic schools in Louisiana, Arkansas,
Oklahoma and New Mexico for the
benefit of children who reside in
Texas school districts on the border
of such states; repealing all laws in
conflict herewith; and declaring an
emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with the
recommendation that it do pass.

NEAL, Chairman.

Committee Room,
Austin, Texas, April 24, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on Edu-
cational Affairs, to whom was re-
ferred

H. B. No. 985, A bill to be entitled
"An Act providing for a rural school
supervisor in certain counties in lieu
of teachers' institutes; prescribing
the duties of said supervisor; pro-
viding for visits to schools of the
county and work in cooperation with
teachers; prescribing the salary of
said supervisor and how it shall be
paid; providing other things inci-
dental to said purpose; and declar-
ing an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NEAL, Chairman.

Committee Room.

Austin, Texas, April 25, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 664, A bill to be entitled "An Act to amend Article 2905, Revised Civil Statutes, State of Texas, 1925, conferring the authority upon the county school trustees to exercise the right of eminent domain to acquire title to real property for common school districts and independent school districts having fewer than one hundred fifty scholastics; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

NEAL, Chairman.

Committee Room,

Austin, Texas, April 25, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 455, A bill to be entitled "An Act making it unlawful to operate a vehicle for the transportation of pupils to and from any school or college without displaying a sign with the words "School Bus" on the front and rear and each side thereof, and providing safeguards to passengers on entering or leaving same, from dangers caused by passing motorists, and providing penalties for the violation thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

NEAL, Chairman.

Committee Room,

Austin, Texas, April 25, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Edu-

cational Affairs, to whom was referred

H. B. No. 689, A bill to be entitled "An Act validating, ratifying and approving the acts and proceedings of of the county board of school trustees, and county commissioners' courts, relating to consolidation of territory to certain independent school districts; providing the way and manner the population in the counties are determined; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NEAL, Chairman.

Committee Report.

Austin, Texas, April 25, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 845, A bill to be entitled "An Act providing for the employment of a rural school supervisor in counties having a population of not less than fifty-three thousand nine hundred and not more than fifty-four thousand; providing for their duties, salaries, expenses and qualifications; providing that counties accepting the benefits of this Act shall not be required to hold teachers' institute, but providing that the county superintendent may call meetings of the teachers within his jurisdiction; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NEAL, Chairman.

Committee Room,

Austin, Texas, April 25, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 994, A bill to be entitled "An Act authorizing the Governor to negotiate a compact with the State of New Mexico for the purpose of cooperating with the State of New Mexico to permit school districts of incorporated towns, or union high

school districts in Texas adjoining the Texas New Mexico State line to combine with school districts, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

NEAL, Chairman.

Committee Room,

Austin, Texas, April 25, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 972, A bill to be entitled "An Act to validate the organization and creation of all consolidated independent school districts formed through the consolidation of one independent school district and one common school district in counties having a population of not less than 39,104 and not more than 39,105 according to the preceding Federal census, validating the acts of the county board of trustees, the Commissioners' Court and all officials having a part in the creation of such districts in such counties, validating Acts of the board of trustees of said district, validating all tax assessments and levies made by such districts, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chariman.

Committee Room,

Austin, Texas, April 27, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 5, Proposing an amendment of Section 7, Article 11 of the Constitution of the State of Texas authorizing counties and cities bordering on the Coast of the Gulf of Mexico by a vote of two-thirds majority of the resident property taxpayers voting thereon to levy and collect such tax for construction of seawalls, breakwaters, or sanitary purposes, as authorized by law, and authorizing the creation of a debt for such works and the issuance of bonds in evidence thereof, and providing for the submission of same to the qualified electors of this State

at an election to be held on November the 8th, A. D. 1932, and providing the necessary proclamation and appropriation to defray the expenses of the proclamation, publication, and election.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

By Stevenson.

S. B. No. 611.

A BILL

To Be Entitled

An Act to regulate the use of highways of the State of Texas by motor trucks, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Motor trucks are hereby divided into three classes, to-wit: those owned and operated exclusively for the owners, and they are hereby designated as private trucks; those traveling over designated routes and specific schedules, which are hereby designated as common carriers; those owned and operated under contract, which are hereby designated as contract carriers.

Sec. 2. No truck, including its own tonnage and load shall weigh more than twelve thousand (12,000) pounds; no truck with a semi trailer, that is, a two wheel contrivance attached to the truck, shall exceed in combined weight of truck, trailer and load thereon, sixteen thousand (16,000) pounds. Provided, however, that any truck, or truck with semi trailer, shall be permitted to increase its load 25% if equipped with tires capable of properly sustaining its load with an air pressure not exceeding sixty pounds. Provided that trucks now operating by permit of the Commission shall be permitted to continue to operate for such a period and under such conditions as the Commission determines. Trailers may be used by farmers to transport their products to market or cotton gin and when drawn by automobiles or small trucks.

Sec. 3. No common carrier truck shall be operated before its owner shall obtain a certificate of convenience and necessity from the Railroad Commission of Texas, hereinafter described as the Commission. Such certificates are privileges granted by the State and shall be

revocable by the Commission for cause after hearing. The Legislature reserves the right to abolish or modify such certificates and all privileges resulting therefrom.

Sec. 4. Contract carriers shall operate only between the points of origin of the load to the nearest point where any common carrier is equipped to handle the kind and character of the load tendered without risk of injury or deterioration, to the load or substantial monetary loss to the owner or owners of the load so tendered for further transportation. In exceptional local emergencies a County Judge may grant a special permit to extend the length, weight and dimensions of the load carried by a contract carrier or private carrier under regulations approved by the Chief engineer or resident or district engineer of the Texas Highway Department.

Sec. 5. In case of necessity arising out of moving machinery, special equipment required in the conduct of business necessary to promote industry or to enable the hasty marketing of livestock and farm products or for other purposes as the Commission determines, the Commission may grant permits for contract or privately owned trucks to carry a load or loads in excess of those heretofore outlined and authorize the use of trailers, but when so doing shall make requirements as it sees fit as to speed, signals and other precautions to protect other traffic on the highways and the roadbeds of the highways and may exact security bonds to protect the state and public from any loss resulting from this extended privilege. In the exercise of this privilege truck owners must use the least mileage possible over highways.

Sec. 6. The Commission shall establish rules as to speed, signals and other safeguards as it sees fit and may make different rules for different routes, taking into account the physical condition of the highways and the amount of traffic thereon. It shall require contract and common carriers to file with the Commission bonds in the amount and character the Commission determines to secure claims for loss of property, property damaged, life or personal injuries caused by such carriers.

Sec. 7. Each driver or common

and contract carrier trucks must obtain a license from the Commission under rules to be prescribed by the Commission at a cost of three (\$3.00) dollars per year for each license, the same to be revocable by the Commission for cause.

Sec. 8. No truck shall exceed ninety six inches in width, including the load, nor eleven feet six inches in height, including the load, nor thirty feet in length and with a semi trailer not over a total of forty five feet in length, including the load.

Sec. 9. The owner of each common and contract carrier truck shall pay an annual license fee of ten (\$10.00) dollars when receiving a permit to operate, the time and method of payment to be determined by the Commission, except that for trucks now operated as Class A and B trucks there shall not be required fees for the period for which fees have been already paid. The fees so paid may be used by the Commission as far as necessary for the administration and enforcement of this Act and the remainder shall be paid into the general fund. An accounting of the fees and expenditures must be made by the Commission to the Comptroller annually.

Sec. 10. It shall be a misdemeanor for any person to violate any of the provisions of this Act and any person violating the same shall upon conviction be punished by a fine of not exceeding two hundred (\$200.00) dollars for each offense.

Sec. 11. This act shall not affect trucks operating exclusively in incorporated cities and towns.

Sec. 12. All laws and parts of laws in conflict with this Act are hereby repealed. If any part of this act is declared unconstitutional the decision shall not affect the remainder of this Act.

Sec. 13. The fact that there is not now any law effectually regulating the use of the highways of the State by trucks creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended and that this Act shall take effect and be in force from and after its passage, and said rule is hereby suspended, and it is so enacted.